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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,205	09/15/2003	Warren T. Laurence	LAW 0101 PUS	2204

27256 7590 03/30/2005

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28333 TELEGRAPH RD.
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SOUTHFIELD, MI 48034

EXAMINER

NGUYEN, JOHN QUOC

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/605,205

Applicant(s)

LAURENCE, WARREN T.

Examiner

John Q. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-13 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13, 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 2-6, 9-13, 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0300357 in view of Rao (US-5439521).

EP 0300357 discloses a paper dispensing apparatus having substantially all the claimed features including a slot 12. The apparatus is made of a plastic film which is deemed to be resilient deformable. It is old and well known to provide paper dispensers in bathroom and Official Notice of such is hereby taken; therefore, the location of mounting of the apparatus (claim 20) in the bathroom would have been an obvious matter of design choice to a person having ordinary skill in the art based on factors such as preference, design criteria (such as to be within reach of a person needing paper in the bathroom), space optimization, and costs. The EP reference does not show endcaps and a spindle. Endcaps are usually provided to enclose the roll and protect the roll from the environment; Rao discloses such a dispenser in which endcaps such as elements 124 are provided with openings 126 for a spindle. It would have been obvious to a person having ordinary skill in the art to provide the apparatus of EP 0300357 with endcaps and a spindle as taught by Rao to enclose the roll and protect the roll from the environment and to rotatably mount the roll to prevent damage to the rolled material and flat-spotting.

Fasteners such as adhesive, magnetic, screws, and rivets are old and well known and Official Notice is hereby taken of such; therefore the use of a fastener such as one of the above would have been obvious to a person having ordinary skill in the art to

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fasten the roll holder to a support surface. Screw fasteners usually are provided with respective openings; therefore, the provision of openings such as for receiving screws would have been obvious to a person having ordinary skill in the art.

Rao also discloses the use of rib and groove for snap fitting endcap 208 (see column 6, lines 21-28). It would have been obvious to a person having ordinary skill in the art to alternatively provide the endcap of the EP apparatus modified as above with snap-fitting rib/groove as taught by Rao to obtain a frictionally tight closing. The notch of claim 9 reads on the groove. That the rib is on the endcap or on the tubular portion (and vice versa for the groove) would have been an obvious matter of design choice to a person having ordinary skill in the art based on factors such as ornamental preference, design criteria, space optimization, and costs.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over EP 0300357 in view of Rao (US-5439521) as applied to claims 2-6, 9-13, 18-20 above, and further in view of Marino (US-5897074).

Marino discloses another roll holder in which overhang portions 50 and 137 are provided for hanging the apparatus. It would have been obvious to a person having ordinary skill in the art to alternatively provide the apparatus of EP 0300357 modified as above with hanging portions as taught by Marino to hang the apparatus.

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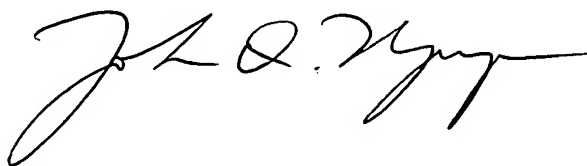
Applicant's arguments with respect to claim 18 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Q. Nguyen whose telephone number is (703) 308-2689. The examiner can normally be reached on Monday-Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki, can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4177.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'John Q. Nguyen', with a stylized, flowing script.

John Q. Nguyen
Primary Examiner
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